

LISTING OF THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently amended) An apparatus comprising:

a communication device having a messaging client~~[[;]]~~ and an availability detector,

~~[[an]]~~wherein said availability detector ~~that detects availability of a destination device when a call is placed from said communication device by a user to said destination device~~~~[[;]]~~,

~~wherein said messaging client of said communication device, when said availability detector indicates that said destination device is unavailable, said messaging client of said communication device directly receives a trigger signal so that said messaging client:~~

(a) immediately obtains addressing address information of said destination device;

(b) upon obtaining said address information, then immediately generates generates a message on said communication device; and

(c) upon generating said message, said user of said communication device then enters a command sends to send said message via said communication device to said destination device in accordance with said addressing address information, ~~upon receipt of a command from said user of said communication device.~~

2. (Previously presented) The apparatus according to claim 1, wherein said communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, a smart telephone, and a satellite telephone.

3. (Previously presented) The apparatus according to claim 1, further comprising a

messaging initiator, wherein said messaging initiator is operable to provide said addressing information to said messaging client.

Claims 4. through 9. (Canceled)

10. (Previously presented) The apparatus according to claim 1, wherein said messaging client is operable to provide said addressing information in a destination field of said message.

11. (Canceled)

12. (Previously presented) The apparatus according to claim 1, wherein said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

13. (Previously presented) The apparatus according to claim 1, wherein said message has content that comprises one of a group comprising text, audio, video, still image, multimedia and voice.

14. (Previously presented) The apparatus according to claim 1, wherein said message has a content that comprises default message content.

Claims 15. -17. (Canceled)

18. (Currently amended) The apparatus according to claim 1, wherein said availability detector is operable to detect unavailability of said destination device upon an event selected from a group consisting of when said destination device does not connect after a predetermined number of rings, when a busy signal is received from said destination device, and when a connection is made to a voicemail box of said destination device.

Claims 19. – 21. (Canceled)

22. (Currently amended) A system comprising:

an originating communication device; and
a communication system comprising an availability detector and a message sender,

[[an]] wherein said availability detector [[that]] detects unavailability of a destination device when a call is placed from [[an]]said originating communication device to a telephone number of said destination device; and

[[a]] wherein said message sender associated with said availability detector ~~for sending-sends~~ to said originating communication device a message comprising ~~an address-~~said telephone number of said destination device when said availability detector indicates unavailability of said destination device.

23. (Previously presented) The system according to claim 22, wherein said originating communication device is one of a group of communications devices selected from the group consisting of a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone, and a satellite telephone.

24. (Currently amended) The system according to claim 22, wherein said message sender is operable to format said message so that a reply to said message is addressed to said telephone number of said destination device.

25. (Currently amended) The system according to claim 24, wherein said message sender is operable to provide said ~~address-~~telephone number of said destination device in a reply field of said message.

26. (Previously presented) The system according to claim 22, wherein said message is one of a type selected from the group consisting of voice message, short message,

enhanced message, and multimedia message.

27. (Previously presented) The system according to claim 22, wherein said message has a content selected from the group consisting of text, audio, video, still image, multimedia, and voice.

28. (Previously presented) The system according to claim 22, wherein said message comprises default message content.

29. (Canceled)

30. (Previously presented) The system according to claim 22, wherein the system is activated and deactivated by a user of said originating communication device.

31. (Previously presented) The system according to claim 22, wherein when said availability detector detects that said destination device is unavailable, a messaging client is launched to send said message to said originating communication device that appears to be sent from said unavailable destination device.

32. (Currently amended) A method executed by a communication device, comprising:
detecting availability of a destination device by said communication device when a call is placed from said communication device to said destination device; and
if said destination device is unavailable, then said communication device:
(a) immediately obtaining addressing-address information of said destination device on said communication device;
(b) upon obtaining said address information, then immediately generating a message on said communication device; and
(c) upon generating said message, sending said message to said destination device in accordance with said addressing-address information, upon receipt of a command from a user of said communication device.

33. (Previously presented) The method according to claim 32, wherein said communication device is selected from a group consisting of a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone, and a satellite telephone.

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Currently amended) The method according to claim 32, further comprising said user selecting the message content from one selected from the group consisting of text, audio, video, still image, multimedia, and voice.

38. (Previously presented) The method according to claim 32, further comprises generating a default message.

39. (Canceled)

40. (Currently amended) The method according to claim 32, ~~further comprising~~ wherein said generating said message on said communication device comprises opening on said communication device an input screen for user input of message content.

41. (Canceled)

42. (Canceled)

43. (Currently amended) The method according to claim 32, wherein destination device

unavailability is detected upon an event selected from a group consisting of when said destination device does not connect after a predetermined number of rings, when a busy signal is received from said destination device, and when a connection is made to a voicemail box of said destination device.

44. (Canceled)

45. (Canceled)

46. (Currently amended) A method for automatically sending a message to an originating communication device calling a destination device, by:

calling a telephone number of the destination device by the originating communication device;

detecting availability of said destination device by a communication system; and
if said destination device is unavailable, then said communication system
sending to said originating communication device a message comprising ~~addressing~~
~~information~~ said telephone number of said destination device.

47. (Previously presented) The method for automatically sending a message according to claim 46, wherein said originating communication device is selected from the group consisting of a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.

48. (Currently amended) The method for automatically sending a message according to claim 46, wherein said message is formatted so that a reply to said message is addressed to said telephone number of said destination device.

49. (Original) The method for automatically sending a message according to claim 46, wherein said message comprises a default message.

50. (Previously presented) The method for automatically sending a message according to claim 46, wherein said message is of a type selected from the group consisting of voice message, short message, enhanced message, and multimedia message.

51. (Canceled)

52. (Canceled)

53. (Currently amended) The apparatus according to claim 1, wherein said communication device has a memory, and wherein ~~said messaging client of said communication device, when said availability detector indicates that said destination device is unavailable, obtains~~ said addressing information of said destination device is obtained from said memory.

54. (Currently amended) The apparatus according to claim 1, wherein ~~said messaging client of said communication device, when said availability detector indicates that said destination device is unavailable, generates~~ said message on said communication device is generated by opening an input screen displayed to the user for the user to input message content, and wherein ~~sends~~ said message content ~~[[in]]~~ is sent in said message ~~via said communication device to said destination device in accordance with said addressing information, upon receipt of a command from said user of said communication device.~~

55. (Canceled)